

URUGUAY 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Oriental Republic of Uruguay is a constitutional republic with a democratically elected president and a bicameral legislature. In the 2019 national elections, Luis Lacalle Pou won a five-year presidential term. No political party won a majority in parliament, but the ruling party formed a coalition to pass legislation. Elections were considered free and fair by observers.

Under the Ministry of Interior, the National Police of Uruguay maintains internal security, and the National Directorate for Migration is responsible for migration and border enforcement. The armed forces, under the Ministry of National Defense, are responsible for external security and have some domestic responsibilities, including perimeter security for six prisons and border security. Civilian authorities maintained effective control over security forces. There were reports members of the security forces committed some abuses.

Significant human rights abuses included credible reports of harsh and potentially life-threatening conditions in some prisons.

The government took steps to identify and punish officials who committed human rights abuses or engaged in corruption, and there were no reports of impunity. The judiciary continued to investigate human rights violations committed during the 1973-85 military dictatorship, which the law classifies as crimes against humanity.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit such practices, and there were no reports government officials employed them.

Prison and Detention Center Conditions

Prison and detention center conditions were poor and inhuman in several facilities due to overcrowding, poor sanitary conditions, inadequate medical care, inadequate socioeducational programming, and high levels of violence among inmates.

Abusive Physical Conditions: As of December, the inmate population was more than 120 percent above prison physical capacity. Eleven prisons were above 100 percent capacity, six prisons above 150 percent capacity, and one above 300 percent capacity. In the most overcrowded prisons, inmates slept on the floor and lacked social and educational activities. According to a parliament-appointed special rapporteur, 34 percent of inmates in 2021 suffered from cruel, inhuman, or degrading treatment, and 56 percent of inmates were improperly prepared for social integration upon release.

Authorities sometimes held men and women in mixed-gendered prisons and assigned women to the worst parts of prisons, with less access to food, private spaces, and visits from family members.

Certain prisons lacked hygiene, sufficient access to potable water, sufficient or satisfactory food, and adequate socioeducational and work opportunities. The special rapporteur and the National Torture Preventive Mechanism (NPM) reported inadequate routine and emergency medical care. Prisons lacked mental health and substance abuse rehabilitation services.

Authorities sometimes kept prisoners confined in cells for long periods without an

opportunity for movement, exercise, or use of showers or sanitary facilities.

In 2021 there was a record-high number of 86 deaths in prison, of which 27 were due to inadequate health care and four deaths from accidents.

The NPM and special rapporteur reported high levels of violence in prisons, both institutional and among inmates, particularly in larger prisons. As of December, there were 13 homicides due to prisoner-on-prisoner violence, 10 suicides, and two deaths resulting from accidents. In 2021, the homicide rate in prisons was 15 times higher than in the general population, while the suicide rate in prisons was six times higher.

Administration: Independent authorities conducted investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted monitoring by independent nongovernmental observers, local human rights groups, media, the International Committee of the Red Cross, and other international bodies.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

Police apprehend suspects with warrants issued by a duly authorized official and bring them before an independent judiciary. Arrests may be made without a judge's order when persons are caught in the act of committing a crime. The law requires a suspect be brought before a judge within 24 hours and charged with a crime. Detainees are allowed prompt access to a lawyer of their choice, or one provided by the state. These rights were respected; however, the *2021 National Torture Prevention Mechanism Report* stated the government could not always provide a defense attorney to detainees unable to afford a private attorney.

There is a bail system, but it was rarely used. Most persons facing lesser charges were not jailed. Officials allowed detainees prompt access to family members.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the executive branch generally respected judicial independence and impartiality.

Trial Procedures

The constitution provides for the right to a fair, timely, and public trial, and the judiciary generally enforced this right.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals and organizations may seek civil remedies for human rights violations through domestic courts or through administrative mechanisms established by law. Cases involving violations of an individual's human rights may also be submitted through petitions filed by individuals or organizations to the Inter-American Commission of Human Rights, which in turn may submit the case to the Inter-American Court of Human Rights. The court may order civil remedies including fair compensation to the individual injured.

Property Seizure and Restitution

The country endorsed the 2009 Terezin Declaration that called on countries to provide for the restitution of property wrongfully seized during the Holocaust, provide access to archives, and advance Holocaust education and commemoration. There were no known claims for movable or immovable property.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home,

or Correspondence

The constitution prohibits such actions, and there were no reports the government failed to respect these prohibitions.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, and the government generally respected this right. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media.

Libel/Slander Laws: Defamation is a criminal offense punishable if convicted by four months to three years in prison, a fine, or both. There were no reports of the government using these laws to restrict public discussion or retaliate against journalists or political opponents.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, and asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Section 3. Freedom to Participate in the Political Process

The constitution and the law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: In 2019 Luis Lacalle Pou won a five-year presidential term in a free and fair general election. In the parliamentary elections that year, no political party won a majority in either house of parliament. Coalitions are required to pass legislation.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of minority groups in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government

generally implemented the law effectively. There were isolated reports of government corruption during the year, and the government addressed them with appropriate legal action. Authorities sometimes lacked sufficient enforcement resources and mechanisms to identify and address acts of administrative misconduct.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials were often cooperative and responsive to their views.

Government Human Rights Bodies: The National Human Rights Institution (INDDHH) is an autonomous agency with quasi-judicial powers that reports to parliament. It is composed of five board members nominated by civil society organizations and approved by a two-thirds vote in parliament for five-year terms that may be renewed once. The INDDHH is tasked with the defense, promotion, and protection of human rights provided for by the constitution and international law. The NPM functions within the INDDHH, conducting regular monitoring of detention facilities and issuing reports and recommendations. The INDDHH was effective in achieving its human rights objectives.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of men or women, including spousal rape, and domestic violence. The law provides for sentences of three to 16 years' imprisonment for a person found guilty of rape, and authorities effectively enforced the law. The law criminalizes domestic violence and allows sentences of six months' to two years' imprisonment for conviction of committing an act of domestic violence or making continued threats of violence. Civil courts

decided most domestic cases, and judges in these cases often issued restraining orders, which were sometimes difficult to enforce.

The government built on existing legislation on domestic violence through the gender-based violence law of 2017. The law addresses abuse that is physical, psychological, emotional, sexual, based on sexual orientation, economic, related to assets, symbolic, obstetric, labor-related, educational, political, or related to media presence. It also includes street sexual harassment and femicide. The law aims to create an institutional response system and establishes specialized courts. It sets minimum standards of support and assistance to be provided by the government, to include shelters for the survivors and immediate family members. The law attempts to avoid revictimization in social and legal procedures and seeks to make the judicial process more agile. According to civil society representatives, the law was not being fully implemented. In February, the government inaugurated the first of the specialized courts provided for by the law, a delay in implementation of five years.

There is a functioning Victims and Witnesses Unit in the Prosecutor General's Office. The unit focused more than 50 percent of its work on victims of gender-based violence, including support and guidance during criminal proceedings. Civil society representatives considered this a significant improvement for survivors.

The government maintained a Gender-Based Violence Observatory to monitor, collect, register, and analyze data on gender-based violence. The government trained officials on aspects of gender-based violence and sexual assault.

The Ministry of Social Development, some police stations in the interior, the National Institute for Children and Adolescent Affairs (INAU), and NGOs operated shelters where women and children survivors of domestic violence could seek temporary refuge. Civil society reported shelters for survivors were of good quality, but their capacity was insufficient. The Ministry of Social Development and the Ministry of Housing operated a program that funded two-year leases for more than 100 survivors, pending more permanent housing solutions. The Ministry of Social Development also operated housing programs that offered survivors access to housing through agreements with the Ministry of Housing and the Housing Agency while it continued to receive support and follow-up from

experts.

Sexual Harassment: The law prohibits sexual harassment in the workplace and punishes it by fines or dismissal. The law establishes guidelines for the prevention of sexual harassment in the workplace, as well as in student-professor relations, and provides damages for victims. The Ministry of Labor received reports of sexual harassment, its inspectors investigated claims of sexual harassment, and the ministry issued fines as necessary.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on part of the government authorities.

The government recognized, protected, and promoted sexual and reproductive rights without discrimination. Problems remained, however, in the full implementation of these policies, especially in the interior of the country and for marginalized populations. Adolescents; lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons; persons with disabilities; and Afro-Uruguayans lacked full access to contraception and reproductive medical care because of social discrimination.

The government guaranteed the ability of individuals to be informed and have access to safe, effective, and affordable methods of family planning and contraception of their choice. Emergency contraception was available as part of the method mix. The government provided access to sexual and reproductive health services for survivors of sexual violence, including emergency contraception as part of clinical management of rape. Teenage girls who were pregnant or were already mothers had lower levels of education, poorer, and more socially vulnerable.

Discrimination: The law provides the same legal status and rights for women as for men. Women, however, faced discrimination in employment, pay, credit, education, housing, and business ownership. According to the United Nations, women's employment was concentrated in a relatively small number of specific occupations and sectors, including services, sales, unskilled labor, domestic work, social services, health services, and education. A study conducted in July 2021 by Acrux Partners showed that women had less access to credit than men.

During the year the Ministry of Labor's Tripartite Equal Employment Opportunities Commission promoted the inclusion of gender equality clauses in negotiations conducted by the wage boards, emphasizing equal pay for equal work, equal access to quality jobs and training, provisions for maternity and responsibility sharing, and the elimination of discrimination in selection and promotion processes.

Systemic Racial or Ethnic Violence and Discrimination

The constitution and law prohibit discrimination based on race or ethnicity, and the government made efforts to enforce the law. Nonetheless, the country's Afro-Uruguayan minority continued to face societal discrimination, high levels of poverty, and lower levels of education. Government efforts to mitigate the problem included a law allocating 8 percent of government jobs to Afro-Uruguayan candidates who comply with constitutional and legal requirements. The quota had yet to be reached by year's end. The law also requires all scholarship and student support programs include an 8 percent quota for Afro-Uruguayans, and it grants financial benefits to companies that hire them. Nonetheless, the United Nations reported it was difficult to ensure quotas were met.

Children

Birth Registration: Citizenship is derived by birth within the country's territory or from one's parents. Birth registration was provided promptly on a nondiscriminatory basis.

Child Abuse: There are laws against child abuse, and penalties if convicted vary according to type of abuse. The prison sentence for conviction of sexual abuse of children varies from between two and 16 years in prison, depending on the gravity of the case. Penalties for the crime of assault range from three months to eight years in prison, and the penalty for domestic violence is from six months to two years in prison. INAU provided a free, nationwide hotline. INAU's *System for the Protection of Children and Adolescents against Violence* (SIPIAV), together with NGOs, implemented awareness campaigns, and SIPIAV coordinated interagency efforts on the protection of children's rights.

The Ministry of Education coordinated efforts to provide child survivors of domestic violence with tools to report abuses using the *Plan Ceibal* national *One Laptop per Child* program computers.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 16, but the law requires parental consent through age 18. The law defines forced marriage as a form of exploitation.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation, sale, grooming or using children for commercial exploitation, including child sex trafficking. The law prohibits child pornography. Age 12 is the legal minimum age for consensual sex. Authorities enforced the law. In March, an investigation that began in 2021 resulted in the conviction of 12 men for the sexual exploitation of six children, one of whom was under the care of the National Children’s Institute. Nine of the men were convicted of “crimes of compensation or promise of compensation to minors or incompetent persons for sexual or erotic acts of any kind;” they received sentences of 22 months to 34 months in prison and were required to pay reparations to their victims. Of the 12 men, two were convicted of contacting children through technological media with the purpose of “committing crimes against sexual integrity and for the dissemination of intimate images” and one was sentenced to 12 months’ imprisonment. In May, authorities investigated 33 persons charged with sexual exploitation of children in 2019. Trials resulted in the conviction of nine men through plea bargaining for crimes of “compensation or promise of compensation to minors or persons incapable of consenting to participation in sexual or erotic acts of any kind.” Their sentences ranged from six months’ to three years’ imprisonment; however, several of the convicted received probation or a combination of imprisonment, house arrest, and probation. The prosecution dropped charges in 13 of the cases due to lack of evidence, and 11 had yet to be tried by year’s end.

Institutionalized Children: The NPM reported on abuse in centers for children with mental health disabilities, including physical and verbal mistreatment. Some centers prioritized security, order, and control, and some lacked proper channels to report abuse. According to the NPM, some children were held long after being medically eligible for discharge due to the unavailability of adequate follow-up

assistance.

The NPM also reported problems in the temporary processing centers where children or adolescents separated from their families were sent for diagnosis, evaluation, and initial care. Abuses included prolonged stays, overcrowding, mistreatment, stressful conditions, and a lack of staff.

Antisemitism

The Jewish Studies department of ORT (the Organization for Educational Resources and Technological Training) at the University and the National Israel Council estimated the country's Jewish population ranged between 12,000 to 30,000 persons. There were no reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law prohibits discrimination based on sexual orientation and gender identity or so-called cross-dressing under the guise of "debauchery." The law provides for equal marriage and adoption rights. The government enforced the law.

Violence Against LGBTQI+ Persons: Civil society organizations reported LGBTQI+ persons faced violence and discrimination; 45 percent of transgender persons suffered violence due to their gender identity.

Discrimination: The law prohibits discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and recognizes LGBTQI+ individuals, couples, and their families. Leaders of civil society organizations reported that despite the legal advancement of LGBTQI+ rights, societal discrimination remained high. Authorities enforced the law and

endeavored to protect the rights of LGBTQI+ persons.

Availability of Legal Gender Recognition: NGOs reported that although the law establishes the right of transgender persons to hormone therapies and sex reassignment surgery, there were reports some health-care providers did not offer these options to patients, without any consequence for their lack of compliance with the law. Furthermore, civil society reported sex reassignment surgery was available only for transgender women (male to female). The Integral Law for Transgender People Act provides for gender recognition, but the only options available were man, woman, transgender man, and transgender woman identifiers. The law does not provide for “nonbinary, intersex, or gender nonconforming” identifiers.

The Latin America and Caribbean Transgender Persons Network (REDLACTRANS) presented a study in 2018 reporting that human rights abuses of transgender women included discrimination, violence and aggression, theft, violation of the right to access justice, harassment, and homicide. Discrimination toward transgender women was typically worse in the interior of the country, which tended to be more conservative and had smaller populations. REDLACTRANS reported most transgender persons did not finish high school and most transgender women worked in the informal sector, where their social benefits were not always provided. They tended to be more vulnerable to dangerous and uncomfortable situations in commercial sex and were less likely to report threats or attacks. In 2016, the latest year for which data are available, the government reported 30 percent of transgender persons were unemployed. Among the employed, only 25 percent worked in the formal sector, 70 percent were individuals engaged in commercial sex, and the majority had low levels of education. Civil society reported it was less frequent for transgender men to be expelled from their home; however, they suffered from high rates of depression and suicide. Observers also noted they generally did not complete their education and therefore usually had unskilled and low-paying jobs.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports of such practices.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no restrictions on these freedoms.

Persons with Disabilities

Persons with disabilities did not have access to education, health services, public buildings, and transportation on an equal basis with others. The law requires such access, as well as communication and information in accessible formats. The law provides for the protection of the rights and prohibits abuse of persons with physical, sensory, intellectual, and mental disabilities, including their access to education, employment, health services, information, communications, buildings, transportation, the judicial system, and other state services. Nevertheless, the law was not effectively or consistently enforced.

Civil society representatives stated there was a general lack of services for persons with disabilities in the country's interior. The Ministry of Social Development administered several programs that provided for temporary housing support, care-giving services, legal assistance, and access to transportation, education, vocational training, and employment services; however, the ministry lacked the capacity to reach all persons with disabilities.

Private and government-run facilities were unprotected and vulnerable due to lack of effective mechanisms for supervision. According to a 2020 World Bank report on social inclusion, persons with disabilities faced barriers to participation in numerous sectors, especially in the labor market, education, and access to public spaces. For example, the mobility of persons with disabilities was limited in Montevideo because only 450 of 1,500 public transportation buses were persons-with-disabilities accessible, and those that were accessible operated with limited frequency on routes that did not include all areas of the city. Government buildings, commercial sites, movie theaters, and other cultural venues as well as many public sidewalks lacked access ramps. NGO representatives reported hospitals and medical services were not always accessible to patients with disabilities. Medical staff often lacked training to deliver primary care and attention to these patients.

The law provides for the right of children with disabilities to attend school (primary, secondary, and higher education). An international organization reported

“special schools” existed for children with disabilities, resulting in a de facto segregation for these children. It also reported there were very few adolescents with disabilities in secondary education. Children with disabilities attended school at significantly lower rates than children without disabilities and their completion rates were significantly lower than those of children without disabilities or children with disabilities in segregated schools. NGOs reported some public schools built after enactment of the law protecting persons with disabilities did not comply with accessibility requirements and usually did not have resources to meet the specific needs of students with disabilities.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and the law, including related regulations and statutory instruments, protect the right of workers to form and join independent unions, bargain collectively, and conduct legal strikes. The government and employers respected freedom of association and the right to collective bargaining. Civil servants, employees of state-run enterprises, private-enterprise workers, and legal foreign workers may join unions. The law prohibits antiunion discrimination and requires employers to reinstate workers, including migrant workers, fired for union activities and to pay them an indemnity. Workers in the informal sector are excluded from these protections.

An omnibus reform bill passed in 2020 introduced changes that affected the right to strike. The law establishes that strikers may not occupy places of work or prevent nonstrikers and management staff from entering the building. In addition, the law states the obstruction of free circulation of persons, goods, or services in public spaces or private spaces for public use is not allowed. Unions asserted this was a limitation to the right to protest. The Unions Association and the opposition leftist Broad Front party collected enough signatures to call for a referendum to revoke this and other articles of the omnibus reform bill. The referendum was conducted in March but failed to obtain enough votes to revoke the articles, which remain in force.

The government effectively enforced applicable labor laws, and penalties were

commensurate with those for other laws involving denials of civil rights, such as discrimination. Penalties were regularly applied to violators.

Worker organizations operated free of government and political interference. Labor union leaders were strong advocates for public policies and even foreign policy issues and remained very active in the political and economic life of the country. In 2019, the International Labor Organization (ILO) noted that the rule that tripartite bodies may negotiate wages (terms and conditions of work are negotiated bilaterally between employers and workers organizations) may constitute mandatory collective bargaining, inconsistent with relevant ILO conventions. The convention states collective bargaining should be voluntary; however, in fact it was mandatory. During the international labor conference in 2019, the committee called on the government to review and change the country's legislation on collective bargaining.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor, and the government effectively enforced the law. The law establishes penalties of four to 16 years in prison for conviction of forced labor crimes. Foreign workers, particularly from Argentina, Bolivia, Brazil, Cuba, the Dominican Republic, Paraguay, Peru, and Venezuela, were vulnerable to forced labor in agriculture, construction, domestic service, cleaning services, elder care, wholesale stores, textile industries, agriculture, fishing, and lumber processing. Cuban nationals working in the country may have been forced to work by the Cuban government. Domestic workers employed in the less-monitored interior of the country were at greater risk of trafficking. Migrant women were the most vulnerable as they were often exposed to commercial sexual exploitation. Foreign workers aboard foreign-flagged fishing vessels in Uruguay's waters and docked at the Montevideo port may have been subjected to abuses indicative of forced labor, including unpaid wages, confiscated identification, a complete absence of medical and dental care, and physical abuse.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

Labor laws and regulations prohibit discrimination with respect to employment and occupation based on race, color, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation or gender identity, age, language, HIV status or other communicable diseases, or refugee or stateless status. In general, the government enforced applicable law and regulations, and penalties were sufficient to deter violations and were regularly applied against violators. The Labor and Social Security Inspection Division of the Ministry of Labor and Social Security investigates discrimination and workplace abuse claims filed by union members.

Discrimination in employment and occupation occurred mostly with respect to sex, race, disability, gender identity, and nationality. According to UN Women, the number of gainfully employed women decreased as they had more children. Women earned lower wages than their male counterparts, on average 25 percent less in similar circumstances. Only an estimated 20 percent of companies claimed to have women in leadership positions. According to a study published by the Economic Commission for Latin America and the Caribbean and UN Women in 2020, 10 years after having their first child, women's monthly salaries averaged 42 percent lower than women in similar circumstances who did not have children.

According to a 2020 World Bank report on social exclusion, Afro-Uruguayans earned 20 percent less than the rest of the population for the same work. Afro-Uruguayan women had the highest unemployment rate, amounting to 14 percent, compared with 8 percent for the general population. The law requires that 8 percent of government positions be filled with Afro-Uruguayans. The National Office of the Civil Service oversees compliance with the Afro-Uruguayan (and other) employment quota requirements and submits reports to parliament. The office stated that in 2019 the percentage of vacancy announcements for positions calling for Afro-Uruguayan applicants had reached the 8 percent required by the

law for the first time ever, but as of 2021, 0.8 percent of positions were filled with Afro-Uruguayans.

The 2020 World Bank report also stated that 59 percent of persons with disabilities participated in the labor market, compared with 76 percent for persons who did not report disabilities. The law requires a 4 percent quota for hires in the public and private sectors. According to reports of the National Office of the Civil Service, only 0.4 percent of civil service hires during 2021 were persons with a disability. A law for transgender persons sets an employment quota for transgender persons in the public sector at 1 percent, but the National Office of the Civil Service reported only 0.036 percent of civil service hires in 2021 were transgender persons.

The report stated transgender persons, especially transgender men, had the highest level of unemployment in the entire population. Thirty-four percent of the transgender population was unemployed; the unemployment rate among transgender women was 30 percent and 43 percent among transgender men. Among those employed, approximately one-third were commercial sex workers.

Foreign workers, regardless of their national origin or citizenship status, faced obstacles when seeking employment. The International Organization for Migration reported that several foreign workers were removed from positions with face-to-face customer interaction due to complaints by customers regarding their foreign accents. The government took steps to prevent and eliminate discrimination (see sections 5 and 6).

e. Acceptable Conditions of Work

Wage and Hour Laws: The law provides for a national minimum wage, and the monthly minimum wage for all workers was above the poverty line. Formal-sector workers, including part-time workers, domestic and migrant workers, and workers in the agricultural sector, are covered by laws on minimum wage and hours of work.

The law stipulates that a person may not work more than eight hours a day, and the standard workweek for those in the industrial and retail sectors may not exceed 44 or 48 hours, with daily breaks of 30 minutes to two and one-half hours. The law requires that workers receive premium pay for work more than regular work-

schedule hours. The law entitles all workers to 20 days of paid vacation after one year of employment and paid annual holidays, and prohibits compulsory overtime beyond a maximum 50-hour workweek. Employers in the industrial sector are required to give workers either Sunday off or one day off every six days of work (variable workweek). Workers in the retail sector are entitled to a 36-hour block of free time each week. Workers in the rural sector may not work more than 48 hours in a period of six days.

The government monitors wages and other benefits, such as social security and health insurance, through the Social Security Fund and the Internal Revenue Service. The Ministry of Public Health's Bureau of Environment and Occupational Work is responsible for developing policies to detect, analyze, prevent, and control risk factors that may affect workers' health.

Occupational Safety and Health: By law workers may not be exposed to situations that endanger their health or safety and may remove themselves from such situations without jeopardy to their employment. The Ministry of Labor sets occupational and health (OSH) standards, and the standards were current and appropriate for the main industries in the country. OSH experts actively identified unsafe conditions and responded to workers' OSH complaints. Government authorities and unions protected employees who removed themselves from such activities. In some cases, workers were not informed of specific hazards or employers did not adequately enforce labor safety measures.

Wage, Hour, and OSH Enforcement: The Ministry of Labor is responsible for enforcing the minimum monthly wage for both public- and private-sector employees and for enforcing legislation regulating OSH conditions. The ministry had 120 labor inspectors throughout the country, which was sufficient to enforce compliance. Penalties were commensurate with those for similar crimes and were regularly applied against violators.

The number of penalties imposed for labor violations was unavailable. Inspectors have the authority to make unannounced visits and initiate sanctions.

The Labor Ministry's Social Security Fund monitors domestic work and may obtain judicial authorization to conduct home inspections, some unannounced, to

investigate potential labor law violations and initiate sanctions if necessary. Conditions for domestic workers include labor rights, social security benefits, wage increases, and insurance benefits.

Informal Sector: Minimum wage, hour, and OSH laws do not cover workers in the informal sector, who accounted for 22 percent of the workforce. Workers in the construction and agricultural sectors were more vulnerable to labor rights violations. An estimated 25 percent of domestic workers were employed in the informal sector. Lack of awareness of their rights by informal workers coupled with their low visibility to the state led to lower protections provided to them.